

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:12CR372
)	
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	OPINION AND ORDER
MICHAEL KEETON,)	
)	
)	
DEFENDANT.)	

Now before the Court are two letters submitted by defendant Michael Keeton (“Keeton”) requesting that his federal sentence run concurrent with a previously served state sentence. (Doc. Nos. 59, 60.) The Court shall construe these letters as motions to modify the Court’s judgment. On January 7, 2017, defendant Michael Keeton was sentenced by the undersigned to a term of imprisonment of 84 months, to be followed by three years of supervised release. (Doc. No. 55 (Judgement).) Keeton maintains that the state court judge responsible for his sentencing in three state court cases—Cuy. Cty. Cm. Pl. Case Nos. CR-12-563222-C, CR-12-563279-A, CR 12-565405-A—determined that the state time would run concurrent with the federal sentence. However, the journal entry issued in state court did not reflect the concurrency of the state sentence.

The United States of America (the “government”) agrees that it appears it was the intent of the state court to run the state sentence concurrent with the federal sentence, but that the state court journal entry did not reflect this intent. (Doc. No. 62 (Gov. Response), citing Doc. Nos. 62-1, 62-2, 62-3.) The government further notes the seriousness of the federal charges and the fact

that Keeton's behavior in state and federal custody has been generally compliant, with only a few minor disciplinary infractions in state custody. Accordingly, Keeton's motions to modify his federal sentence are GRANTED. The Court shall issue an amended *nunc pro tunc* judgement entry, effective as of the date of the original judgment, reflecting that the federal sentence in this case shall run concurrent with the state sentence issued in the aforementioned state court cases.

IT IS SO ORDERED.

Dated: April 5, 2019



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE